Case 09-30957 Doc 1 Filed 08/24/09 Entered 08/24/09 06:26:56 Desc Main Document Page 1 of 11

United States Bankruptcy C Northern District of Illinois				ourt			Voluntary Petition	
Name of Debtor (if individual, enter Last, First. Di Iorio, Fabio	, Middle):		Name of Joint Debtor (Spouse) (Last, First, Middle): Di lorio, Erica					
All Other Names used by the Debtor in the last (include married, maiden, and trade names):	8 years				used by the maiden, and		in the last 8 years):	
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all)	ayer I.D. (ITIN) No./C	Complete EIN	(if mor	our digits of than one, s	state all)	r Individual-7	Γaxpayer I.D. (ITIN) No./Complete EIN	
Street Address of Debtor (No. and Street, City, a 108 S. Staffire Drive Schaumburg, IL		ZIP Code 50193	Street 10	Address of	Joint Debtor	(No. and Str	reet, City, and State): ZIP Code	
County of Residence or of the Principal Place o		00193	Count	-	ence or of the	Principal Pla	60193 ace of Business:	
Mailing Address of Debtor (if different from str	reet address):				of Joint Debt	tor (if differe	nt from street address):	
		ZIP Code					ZIP Code	
Location of Principal Assets of Business Debtor (if different from street address above):	r		_ I					
Type of Debtor (Form of Organization) (Check one box) ■ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. □ Corporation (includes LLC and LLP) □ Partnership □ Other (If debtor is not one of the above entities, check this box and state type of entity below.)	(Check Health Care Bus Single Asset Re in 11 U.S.C. § 1 Railroad Stockbroker Commodity Bro Clearing Bank Other Tax-Exer	al Estate as d 01 (51B) oker mpt Entity , if applicable)			the 1 eer 7 eer 9 eer 11 eer 12	Petition is Fi	hapter 15 Petition for Recognition a Foreign Main Proceeding hapter 15 Petition for Recognition a Foreign Monmain Proceeding to a Foreign Nonmain Proceeding e of Debts c one box) Debts are primarily business debts.	
Filing Fee (Cheek e	under Title 26 o Code (the Intern	f the United	States Code).	a perso	red by an indivi onal, family, or	household pur	pose."	
Filing Fee (Check or Full Filing Fee attached Filing Fee to be paid in installments (application for the court's consist unable to pay fee except in installments. Filing Fee waiver requested (applicable to cattach signed application for the court's consistency for the court's cons	able to individuals onl sideration certifying the Rule 1006(b). See Office hapter 7 individuals o	nat the debtor cial Form 3A. only). Must	Check	Debtor is if: Debtor's a to insiders all applica A plan is Acceptance	a small busin not a small b aggregate nor s or affiliates) able boxes: being filed w ces of the pla	usiness debto necontingent l) are less than ith this petiti n were solici	s defined in 11 U.S.C. § 101(51D). or as defined in 11 U.S.C. § 101(51D). iquidated debts (excluding debts owed a \$2,190,000.	
Statistical/Administrative Information ★ □ Debtor estimates that funds will be available □ Debtor estimates that, after any exempt proper there will be no funds available for distribut	erty is excluded and a	secured cred administrativ	itors.	es paid,		THIS	SPACE IS FOR COURT USE ONLY	
1- 50- 100- 200-	1,000- 5,000 5,001- 10,000	10,001- 25,000 5] 25,001- 60,000	50,001- 100,000	OVER 100,000			
\$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	\$50,000,001 \$ to \$100 to] 100,000,001 5 \$500 nillion	\$500,000,001 to \$1 billion				
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	\$50,000,001 \$ to \$100 to	100,000,001 5 \$500 nillion	\$500,000,001 to \$1 billion				

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Page 2 Name of Debtor(s): Voluntary Petition Di Iorio, Fabio Di Iorio, Erica (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Judge: Relationship: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. \mathbf{X} /s/ Paul M. Bach July 27, 2009 Signature of Attorney for Debtor(s) (Date) Paul M. Bach 06209530 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ■ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. П Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

Page 3 of 11 Document B1 (Official Form 1)(1/08)

Voluntary Petition

(This page must be completed and filed in every case)

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Fabio Di Iorio

Signature of Debtor Fabio Di Iorio

X /s/ Erica Di Iorio

Signature of Joint Debtor Erica Di Iorio

Telephone Number (If not represented by attorney)

July 27, 2009

Date

Signature of Attorney*

X /s/ Paul M. Bach

Signature of Attorney for Debtor(s)

Paul M. Bach 06209530

Printed Name of Attorney for Debtor(s)

Bach Law Offices

Firm Name

1955 Shermer Road Suite 150 Northbrook, IL 60062

Address

Email: paul@bachoffices.com

(847) 564-0808 Fax: (847) 564-0985

Telephone Number

July 27, 2009

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

Di Iorio, Fabio Di Iorio, Erica

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

•	
v	
\sim	

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

v			

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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B 1D(Official Form 1, Exhibit D) (12/08)

United States Bankruptcy Court Northern District of Illinois

In re	Fabio Di Iorio Erica Di Iorio		Case No.	
		Debtor(s)	Chapter	13

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- ■1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] ____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

□4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

□Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

□Active military duty in a military combat zone.

□5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature	of Debtor:	/s/ Fabio Di Iorio	
	_	Fabio Di Iorio	•
Date: Jul	y 27, 2009		

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B 1D(Official Form 1, Exhibit D) (12/08)

United States Bankruptcy Court Northern District of Illinois

In re	Fabio Di Iorio Erica Di Iorio		Case No.	
		Debtor(s)	Chapter	13

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Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

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- □3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] ____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

□4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

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Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

□Active military duty in a military combat zone.

□5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor:	/s/ Erica Di Iorio	
	Erica Di Iorio	•
Date: July 27, 2009		

A&J Plating 8058 Grand Ave River Grove, IL 60171

Action Plastic 424 S. County Line Rd Bensenville, IL 60106

Beach Associates, Inc 95 Wolf Creek Blvd, Suite 2 Dover, DE 19901

Bodycote #774119 4119 Solutions Center Chicago, IL 60677

Browncor 530 W. Oklahoma Milwaukee, WI 53207

Caine & Weiner 1699 E. Woodfield Rd Schaumburg, IL 60173

Capital One P.O. Box 30285 Salt Lake City, UT 84130-0285

Citibank C/O GC Services Limited Partnership P.O. Box 2667 Houston, TX 77252-2667

Cook County Treasurer 118 N. Clark Chicago, IL 60602

D. Patrick Mularkey Room 7894, JCB Building 555 4th Street N.W. Washington, DC 20001

Delta Centerless Grinding 9218-20 W. Chestnut Ave Franklin Park, IL 60131

Dennis M Nolan, PC 221 Railroad Ave Bartlett, IL 60103

Discover Financial Services P.O. Box 3008 New Albany, OH 43054-3008

Discover Financial Services Attention: Bankruptcy Department PO Box 3025 New Albany, OH 43054

EMJ
75 Rimittance Dr
Suite 6477
Chicago, IL 60675

Everhome Mortgage Company 8100 Nations Way Jacksonville, FL 32256

Everhome Mortgage Company PO Box 530879 Atlanta, GA 30353-0579

FIA Card Services PO Box 15026 Wilmington, DE 19850-5026

FIA Card Services PO Box 15019 Wilmington, DE 19886-5019

Grind Lap 1045 National Addison, IL 60101

Harris Bank Fia Card Services PO Box 15026 Wilmington, DE 19850-5026 Harris Bank Route 83 and Arlington Heigts Rd Buffalo Grove, IL 60089

Harris NA 3800 Golf Road Suite 300 Rolling Meadows, IL 60008

Henrichsen Fire Equipment PO Box 725 Wheeling, IL 60090

Illinois Attorney General 100 W. Randolph Street Chicago, IL 60606

Illinois Department of Revenue Bankruptcy Section 100 W. Randolph Street Chicago, IL 60606

Illinois Department of Revenue P.O. Box 19035 Springfield, IL 62794

Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114

Internal Revenue Service Mail Stop 5010 CHI 230 S. Dearborn Street Chicago, IL 60604

Law Offices of Barry Serota & Assoc PO Box 1008 Arlington Heights, IL 60006

McMaster Carr PO Box 7690 Chicago, IL 60680-7690 Mechanical Design 10205 Pacific Avenue Franklin Park, IL 60131

Metal Supermarkets 520 Abilene Dr, 2nd Floor Mississaugua, ON S5T 2H7

Metal Supplement 1420 N. 25th Avenue Melrose Park, IL 60160

Reliable Office Supplies PO Box 105529 Atlanta, GA 30348-5529

RonTro Enterprises 820 Sivert Dr Wood Dale, IL 60191

Roscoe Company 3535 W. Harrison Sr Chicago, IL 60624-3798

Saws Unlimited 494 Bonnie Ln Elk Grove Village, IL 60007

Sears Gold Mastercard PO Box 6282 Sioux Falls, SD 57117-6282

SPG Grinding 10109 Pacific Ave Franklin Park, IL 60131

The Roscoe Company PO Box 725 Chicago, IL 60680

VIN Industried, Inc. 3335 Schierhorn Court Franklin Park, IL 60131